

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF MICHIGAN  
SOUTHERN DIVISION

EVANGELENE MONROE,

Plaintiff,

vs.

Case No. 16-10079

CONSUMERS ENERGY and  
REBECCA KOSNIK,

HON. AVERN COHN

Defendants.

/

**ORDER DENYING PLAINTIFF'S MOTION FOR RECONSIDERATION (Doc. 40)**

I.

This is an employment case. Plaintiff Evangelene Monroe (Monroe), proceeding pro se, sued defendants Consumers Energy and Rebecca Kosnik claiming she was discriminated against in violation of the Americans with Disabilities Act (ADA), 42 U.S.C. §§ 12101–12213 stemming from a decision to have her undergo an independent medical examination (IME) following instances of aberrant behavior and work performance issues. Monroe claimed that Consumers Energy improperly “regarded” her as disabled in requiring the IME.

Consumers Energy filed a motion for motion for summary judgment. (Doc. 23). Monroe filed a motion to amend her complaint. (Doc. 29). The Court granted Consumers Energy’s motion and denied Monroe’s motion. (Doc. 37). Before the Court is Monroe’s motion for reconsideration. For the reasons that follow, the motion is

DENIED.<sup>1</sup> For the reasons that follow, the motion is GRANTED. This case is DISMISSED.

II.

E.D. Mich LR 7.1(h)(3) provides in relevant part:

Generally, and without restricting the court's discretion, the court will not grant motions for rehearing or reconsideration that merely present the same issues ruled upon by the court, either expressly or by implication. The movant must not only demonstrate a palpable defect by which the court and the parties have been misled but also show that correcting the defect will result in a different disposition of the case.

Restating arguments does not establish a defect or that the Court was misled. See Intercontinental Electronics, S.p.A. v. Roosen, 210 F. App'x 491, \*\*3 (6th Cir. 2006).

III.

Monroe has not satisfied the high standard for reconsideration. As noted in Consumers Energy's response (Doc. 43) which is incorporated here by reference, Monroe repeats her prior arguments which the Court rejected in granting Consumers Energy's motion for summary judgment or advances arguments that are not relevant and

---

<sup>1</sup>Also before the Court is Monroe's motion to "stay" the Court's order pending resolution of the motion for reconsideration. (Doc. 39). In light of this order, the motion to stay is MOOT.

outside the issues presented in the summary judgment motion. Reconsideration is not warranted.

SO ORDERED.

S/Avern Cohn  
AVERN COHN  
UNITED STATES DISTRICT JUDGE

Dated:  
Detroit, Michigan